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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/530,055

11/23/2005

Thierry Starck

40770-000166/US

6269

30593

7590 -

10/30/2006

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EXAMINER

HE, AMY

ART UNIT

PAPER NUMBER

2858

DATE MAILED: 10/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/530,055	STARCK ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Amy He	2858	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on amendment dated 3 August 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-10 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayer et al. (U. S. Patent No. 4, 241, 973).

Referring to claims 1, 6 and 7, Mayer discloses a connecting sleeve (cable 10, in Figure 1; col. 5, lines 9-28) in which the connecting sleeve is an insulating, elastic material (14) that is in the form of a tube (the connecting sleeve/cable 10 has insulation jacket 14 in the form of a tube for receiving the inner and outer conductors 11 and 13), characterized in that the connecting sleeve (10) has an outer, electrically conductive surface (the conductive surface of the grounded outer conductor 13) that is grounded, and an inner, electrically conductive surface (the conductive surface of the inner conductor 11); and in that the connecting sleeve has a coupling electrode (the second or middle conductor of a triaxial cable, the second or middle conductor is capable of coupling to other conductors, thereby interpreted as a coupling electrode, col. 10, lines 49-60) that is imbedded in the insulating material (14).

Note that the recitations “ for a bus bar connection that is used to connect two switchboard sections of a gas-insulated switchboard system” (as in claim 1); or “bus bar

connection...to connect two switchboard sections of a gas-insulated switchboard system" (as in claim 6); and "Gas-insulated switchboard system, in particular a gas-insulated medium-voltage switchboard system, with at least two switchboard sections that are connected to one another through a bus bar connection" (as in claim 7) have not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Referring to claim 2, Mayer discloses that the coupling electrode (the second or middle conductor of the triaxial cable, col. 10, lines 49-60) has a sensor surface (surface of 12) that is tangential to the outer surface (surface of conductor 13).

Referring to claim 3, Mayer discloses that the coupling electrode (the second or middle conductor of the triaxial cable, col. 10, lines 49-60) is so imbedded in the insulating material (14) that the coupling electrode is electrically insulated from the inner surface (surface of 11) and from the outer surface (surface of 13), the coupling electrode having an edge area (a portion/area on 12 which surrounds the second or middle conductor) that overlaps the outer surface (surface of 13), at least in part (the surface of 13 surrounds/overlaps at least a portion/area of the insulation 12 outside the second or middle conductor).

Referring to claim 4, Mayer discloses that the coupling electrode (the second or middle conductor of a triaxial cable, col. 10, lines 49-60) is connected to a plug connector (the cable terminal connector as shown in Figure 1) that is positioned in an opening (the opening for engaging cable 10) that is surrounded by the insulating material (14).

2. Claims 1 and 6-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Starck (U. S. Patent No. 6, 419, 512).

Referring to claims 1, 6 and 7, Starck discloses a connecting sleeve (in Figures 1-4) in which the connecting sleeve is an insulating, elastic material that is in the form of a tube (tubular flexible insulative sleeve, col. 2, line 23-26; Figures 1-4), characterized in that the connecting sleeve has an outer, electrically conductive surface that is grounded (the outer semiconductor coating that is grounded, see claim 3), and an inner, electrically conductive surface (inner semiconductive layer of the sleeve, col. 2, lines 35-37); and in that the connecting sleeve has a coupling electrode (the conductive bushing 8 which interconnects/couples the conductors 5 and 5', thereby interpreted as a coupling electrode) that is imbedded in the insulating material.

Note that the recitations “ for a bus bar connection that is used to connect two switchboard sections of a gas-insulated switchboard system” (as in claim 1); or “bus bar connection...to connect two switchboard sections of a gas-insulated switchboard system” (as in claim 6); and “Gas-insulated switchboard system, in particular a gas-insulated medium-voltage switchboard system, with at least two switchboard sections

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that are connected to one another through a bus bar connection” (as in claim 7) have not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951).

Referring to claims 8-10, Starck discloses the connecting sleeve of claims 1, 6 and 7, wherein the connecting sleeve has a hollow center which encompasses a bus bar connection (axial conductors 5, 5'), and wherein the voltage potential of the bus bar is applicable to the inner, electrically conductive surface of the connecting sleeve (col. 2, lines 35-37).

### ***Allowable Subject Matter***

3. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Response to Arguments***

4. Applicant's arguments with respect to the Mayer reference have been fully considered but they are not persuasive.

In response to applicant's arguments that Mayer cannot disclose or suggest a “connecting sleeve ... that is in the form of a tube”, note that at least a part of the

connecting sleeve, i.e., the insulating jackets 12 or 14 of the connecting sleeve, is in the form of a tube for receiving the inner and outer conductors 11 and 13.

In response to applicant's arguments that Mayer cannot disclose or suggest "an outer, electrically conductive surface that is grounded, and an inner, electrically conductive surface" as recited in claim 1, examiner points to column 5, lines 9-17 of Mayer. In this section, Mayer discloses an outer ground conductor 13 and an inner conductor 11. The surface (inner or outer surface) on outer conductor 13 is the outer electrically conductive surface, and the surface (either inner or outer surface) on the inner conductor 11 is the inner electrically conductive surface as claimed.

In response to applicant's arguments that the inner conductor is not a coupling electrode, examiner asserts that the second/middle conductor is capable of coupling to other conductors, thereby interpreted as a coupling electrode.

5. Applicant's arguments with respect to the Maxwell and Kohler references have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

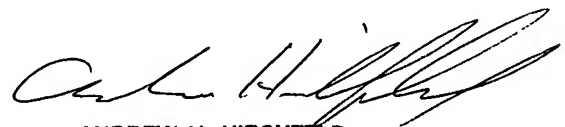
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy He whose telephone number is (571) 272-2230.

The examiner can normally be reached on 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH  
October 20, 2006.

  
**ANDREW H. HIRSHFELD**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**